

REMARKS

The applicants acknowledge the Examiner's comprehensive Office Action, a Final Rejection, as well as the telephonic interview of June 7, 2006, with appreciation. Claims 1-13 and 15-17 remain pending in the application.

Claims 1-13 and 15-17 remain rejected for obviousness under 35 USC § 103(a) based on Gold, et al., (WO 99/01416) in view of Lucot. It is the position of the Office that Gold, et al. disclose NMDA antagonist activity for the compounds of the instantly claimed method and that Lucot discloses that NMDA antagonists have broad spectrum antiemetic activity. The Office therefore concludes that it would have been obvious to one skilled in the art to employ the NMDA receptor antagonists disclosed in Gold, et al. in a method for treating emesis.

With the instant Amendment, Claim 1 has been amended to delete emesis from the list of conditions claimed to be treatable, as suggested by the Office in the telephonic interview of June 7, 2006. This Amendment removes the only outstanding basis for rejection.

Claims 12 and 13 have been amended to correct certain typographical errors.

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Allowance is solicited.

Respectfully submitted,

THE FIRM OF HUESCHEN AND SAGE

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